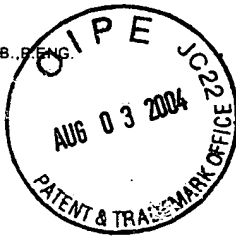


RICHES, MCKENZIE & HERBERT LLP

BARRISTERS & SOLICITORS
PATENT & TRADE MARK AGENTS
PAUL HERBERT, B.SC., PHM., LL.B.
BRANT LATHAM, B.A. SC., (CHEM. ENG.), LL.B., P. ENG.
DAN HITCHCOCK, B. ENG., LL.B., P. ENG.
GARY M. TRAVIS, B. SC. (GEOL.), LL.B.
JEFF PERVANAS, B.A. SC., (ENG. SCI.), LL.B.
JASON LEUNG, B. SC. (GENETICS), LL.B.
PATENT & TRADE MARK AGENT
A. LEONARD GROVE



SUITE 2900
2 BLOOR STREET EAST
TORONTO, CANADA
M4W 3J5

July 30, 2004

TELEPHONE (416) 961-5000
FAX (416) 961-5081
E-MAIL riches@patents-toronto.com

CONTINUING THE PRACTICE OF
GEORGE H. RICHES AND ASSOCIATES
ESTABLISHED 1887

MAIL STOP NON-FEE AMENDMENT
Commissioner for Patents
P.Box Box 1450
Alexandria, Virginia 22313-1450
U.S.A.

Re: Owner: KENNEDY, Ken
Patent Application in U.S.A.
Serial No. : 10/628329 Filing Date: July 29, 2003
Art Unit : 3711 Confirmation No.: 6103
Examiner : Wong, Steven B.
Our Case : P45603
Title : Golf Divot Tool Bearing a Magnetic Ball
Marker

Dear Sirs:

Enclosed please find the applicant's response to the official action mailed May 20, 2004, which is due August 20, 2004.

It is believed that the enclosed response has been timely filed in full reply to the official action. It is also believed that with the enclosed amendment, no additional claims fees are required.

If necessary, it is hereby petitioned under 37 CFR 1.136 that the response term in this application be extended to a date which includes the filing date of the present AMENDMENT.

The Examiner is hereby authorized to charge any required extension of time fees or any additional claim fees which may be required, or credit any overpayment to our account number 18-1350. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Paul Herbert
Reg. No. 27,278

PLH/las
Encl.
Response
Ret. Ack. Card